

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID B. GRECU,

No. C-07-0780 EMC

Petitioner,

**ORDER RE SUPPLEMENTAL
BRIEFING**

v.

M.S. EVANS, WARDEN,

Respondent.

On November 14, 2013, Petitioner, now represented by counsel, filed his traverse to the Respondent's response to this Court's Order to Show Cause. Dkt. No. 109. In this traverse, Petitioner argued that he is entitled to an evidentiary hearing in order to explore: (1) the circumstances underlying the withdrawal of his first attorney, David Kraft, and (2) whether Petitioner provided law enforcement with information regarding the Bothwell Burglary during his use immunity proffer. In addition, Petitioner raises the argument that the Santa Cruz County Superior Court never addressed the merits of his third claim for relief during Petitioner's state post-conviction proceedings.

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1 The Court hereby orders Respondent to file a supplemental brief addressing whether an
2 evidentiary hearing is warranted in this case and whether the Santa Cruz County Superior Court
3 addressed the merits of Petitioner's third claim for relief. Respondent's supplemental brief shall not
4 exceed 10 pages and shall be filed no later than 5:00 p.m., Tuesday, April 8, 2014.

5 Petitioner may file a response – not to exceed 5 pages – by 5:00 p.m., Tuesday, April 15,
6 2014.

7 IT IS SO ORDERED.

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9 Dated: March 28, 2014

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EDWARD M. CHEN
United States District Judge